

FORM PTO-1390  
(REV. 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

235.0004 0101

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

Unknown 869446

INTERNATIONAL APPLICATION NO.

PCT/US99/31176

INTERNATIONAL FILING DATE

29 December 1999

PRIORITY DATE CLAIMED

29 December 1998

TITLE OF INVENTION

RUBREDOXIN FUSION PROTEINS, PROTEIN EXPRESSION SYSTEM AND METHODS

APPLICANT(S) FOR DO/EO/US


Alan E. Przybyla and Nanda K. Menon

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

## Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98. (2 pgs), 1449 forms (5 pgs)  
44 references listed on 1449 forms
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☒ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:
  - 5 sheets of Formal Drawings
  - Itemized return postcard
  - Communication Requesting Entry of Computer Readable Form (CRF) of Sequence Listing (2 pgs)

U.S. APPLICATION NO. (if known) <b>09/869446</b>		INTERNATIONAL APPLICATION NO. <b>PCT/US99/31176</b>		ATTORNEY'S DOCKET NUMBER <b>235 0004 0101</b>	
21. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO..... <b>\$1000.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$860.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$710.00</b>  International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$690.00</b>  International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>\$100.00</b>  <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				<b>CALCULATIONS PTO USE ONLY</b>	
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
<b>CLAIMS</b>	<b>NUMBER FILED</b>	<b>NUMBER EXTRA</b>	<b>RATE</b>	\$	
Total claims	70 - 20 =	50	x <b>\$18.00</b>	\$ 900	
Independent claims	22 - 3 =	19	x <b>\$80.00</b>	\$1,520	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ <b>\$270.00</b>	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$3,280	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				+ \$ 1,640	
<b>SUBTOTAL =</b>				\$1,640	
Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
<b>TOTAL NATIONAL FEE =</b>				\$1,640	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property +				\$ 40	
<b>TOTAL FEES ENCLOSED =</b>				\$	
				<b>Amount to be refunded:</b> \$	
				<b>charged:</b> \$1,680	
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.					
b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>13-4895</u> in the amount of \$ <u>1,680</u> to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>13-4895</u> . A duplicate copy of this sheet is enclosed.					
d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.					
<b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.</b>					
SEND ALL CORRESPONDENCE TO: Victoria A. Sandberg MUETING, RAASCH & GEBHARDT, P.A. P.O. Box 581415 Minneapolis, MN 55458-1415					
				 SIGNATURE	
				Victoria A. Sandberg NAME	
				41,287 REGISTRATION NUMBER	

Applicant(s): Przybyla et al.

Docket No.: 235.0004 0101

Title: RUBREDOXIN FUSION PROTEINS, PROTEIN EXPRESSION SYSTEM AND METHODS

Assistant Commissioner for Patents

ATTN: Box PCT

Washington, D.C. 20231

We are transmitting the following documents along with this Transmittal Sheet (which is submitted in triplicate):

- ☒ An itemized return postcard.
- ☒ Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371(2 pgs) in duplicate.
- ☒ A copy of International Application Serial No. PCT/US99/31176 (52 pgs, 6 sheets of drawings, and paper copy of Sequence Listing (5 pgs).
- ☒ Formal Drawings (6 Figures on 5 sheets);
- ☒ A signed Declaration (4 pgs).
- ☒ An Assignment of the invention to The University of Georgia Research Foundation, Inc. and Recordation Form Cover Sheet (3 pgs).
- ☒ Communication Requesting Entry of Computer Readable Form (CRF) of Sequence Listing (2 pgs).
- ☒ Computer readable form (CRF) of "Sequence Listing" (1 disk). Applicants state that the paper copy form of the "Sequence Listing" section of the present application, and the computer readable form submitted herewith, are the same.
- ☒ An Information Disclosure Statement (2 pgs); 1449 forms (5 pgs); copies of 44 documents cited on the 1449 forms; and International Search Report (5 pgs).
- ☒ Preliminary Amendment (31 pgs, including Appendix A (14 pgs).
- ☒ Please charge Deposit Account No. 13-4895 in the amount of \$1680.00 for the National Filing Fee including Assignment Recordation Fee.

☒ **SMALL ENTITY STATUS IS ENTITLED TO BE ASSERTED IN THE ABOVE-IDENTIFIED APPLICATION.**

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 13-4895. Triplicate copies of this sheet are enclosed.

MUETING, RAASCH &amp; GEBHARDT, P.A.

Customer Number: 26813

By: David L. Provence

Name: David L. Provence

Reg. No.: 43,022

Direct Dial: 612-305-1005

Facsimile: 612-305-1228

## CERTIFICATE UNDER 37 CFR §1.10:

"Express Mail" mailing label number: EL776904053USDate of Deposit: June 27, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Attn: Box PCT, Washington, D.C. 20231.

By: Gara L. Ladwig

Name: Gara L. Ladwig

(SMALL ENTITY TRANSMITTAL UNDER RULE 1.10)